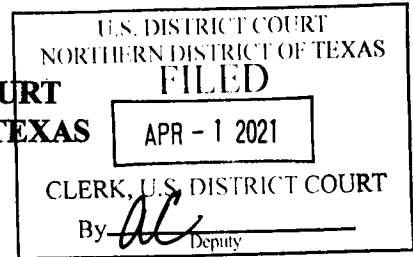


PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 05/2015)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



GERALD WILSON THOMAS # 22 75/95
Plaintiff's Name and ID Number

BILL CLEMENTS 9601 SPUR 591, AMARILLO, TX, 79107
Place of Confinement

2-21CV-061-Z
CASE NO. _____
(Clerk will assign the number)

v. SAFE PRISON SERGEANT AMY J FLORES

BILL CLEMENTS 9601 SPUR 591, AMARILLO, TX, 79107

DANIEL PACHECO BILL CLEMENTS 9601 SPUR 591, AMARILLO, TX, 79107
Defendant's Name and Address

DUSTIN G ANDERSON SERGEANT BILL CLEMENT 9601 SPUR 591, AMARILLO, TX, 79107

ALEX GORRILA LIEUTENANT BILL CLEMENTS 9601 SPUR 591, AMARILLO, TX, 79107
Defendant's Name and Address

JOSE A SIMONEZ II SERGEANT BILL CLEMENTS 9601 SPUR 591, AMARILLO, TX, 79107

WARDEN (BRISTON) BILL CLEMENTS 9601 SPUR 591, AMARILLO, TX, 79107
Defendant's Name and Address
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACKSIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

FILING FEE AND IN FORMA PAUPERIS (IFP)

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$50.00 for a total fee of **\$400.00**.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or a initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$50.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "NOTICE TO THE COURT OF CHANGE OF ADDRESS" and shall not include any motion for any other relief. Failure to file a NOTICE OF THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

I. PREVIOUS LAWSUITS:

- A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? ___ YES ☒ NO
- B. If your answer to "A" is "yes", describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
 1. Approximate date of filing lawsuit: _____
 2. Parties to previous lawsuit:

Plaintiff(s) _____

Defendant(s) _____
 3. Court: (If federal, name the district; if state, name the county.) _____
 4. Cause number: _____
 5. Name of judge to whom case was assigned: _____
 6. Disposition: (Was the case dismissed, appealed, still pending?) _____
 7. Approximate date of disposition: _____

9601 SPUR 591

II. PLACE OF PRESENT CONFINEMENT: BILL CLEMENTS AMARILLO, TX, 79107

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted all steps of the institutional grievance procedure?

X YES NO

Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff: ~~THE~~ GERALD WILSON THOMAS H0075195

BILL CLEMENTS UNIT 9601 SPUR 591 AMARILLO
TEXAS, 79107

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: SARL PRISONS OFFICER SERGEANT AMY J FLORES
BILL CLEMENTS UNIT 9601 SPUR 591, AMARILLO, TX, 79107

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

VIOLATION OF MY SAFETY RIGHTS EIGHTH AMENDMENT

Defendant #2: DANIEL PACHECO CAPTAIN BILL CLEMENTS
UNIT 9601 SPUR 591, AMARILLO, TX, 79107

Briefly describe the acts(s) or omission(s) of this defendant which you claimed harmed you.

VIOLATION OF MY SAFETY RIGHTS EIGHTH AMENDMENT

Defendant #3: DUSTIN G ANDERSON SERGEANT BILL CLEMENTS
UNIT 9601 SPUR 591, AMARILLO, TX, 79107

Briefly describe the acts(s) or omission(s) of this defendant which you claimed harmed you.

VIOLATION OF MY SAFETY RIGHTS EIGHTH AMENDMENT

Defendant #4: JOSE A JIMENEZ II SERGEANT BILL CLEMENTS
9601 SPUR 591, AMARILLO, TX, 79107

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

VIOLATION OF MY SAFETY RIGHTS EIGHTH AMENDMENT

Defendant #5: ALEX R. GURROLA LIEUTENANT BILL
CLEMENTS UNIT 9601 SPUR 591, AMARILLO, TX, 79107

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

VIOLATION OF MY SAFETY RIGHTS EIGHTH AMENDMENT

DEFENDANT #6 WARDEN BRISTOL

BRIEFLY DESCRIBE THE ACTS OR OMISSION(S) OF THIS DEFENDANT
WHICH YOU CLAIMED HARMED YOU

VIOLATION OF MY SAFETY RIGHTS EIGHTH AMENDMENT

V.

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

See LINE PAPER ATTACHMENT
COMPLAINT PAGES #7

VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

(SEE ATTACHMENT LINE PAPER # TITLED
PRAYER FOR RELIEF)

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

GERALD THOMAS, GERALD WILSON THOMAS

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

TDCJ # 2275195 / ADOC # 243235 / CCLR # AT9325

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? ____ YES ☒ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): _____

2. Case number: _____

3. Approximate date sanctions were imposed: _____

4. Have the sanctions been lifted or otherwise satisfied? ____ YES ____ NO

COMPLAINT

HELLO MY NAME IS GERALD THOMAS I AM A TRANSGENDER YOU CAN SEE DOCUMENTATION IN EXHIBIT H I AM CURRENTLY INCARCERATED IN TEXAS DEPARTMENT OF CRIMINAL JUSTICE (TDCJ) FOR A SENTENCE OF 99 YEARS I AM CURRENTLY HOUSED AT BILL CLEMENTS UNIT 9601, SPUR 591, AMARILLO, TX, 79107 MY CONSTITUTIONAL RIGHTS MY EIGHT AMENDMENT IS BEING SEVERLY VIOLATED HERE AT BILL CLEMENT UNIT AND TDCJ UNITS IN GENERAL I CAME TO BILL CLEMENTS UNIT IN FEBRUARY 2020 I WAS HOUSED ON DELTA WING 233 CELL WHERE TRANSGENDER AND OPTS (OFFENDER PROTECTION INVESTIGATIONS), PRE HEARING DETENTION AND TRANSIENT ARE HOUSED AS YOU CAN SEE IN EXHIBIT H B, C, D, E SHORTLY AFTER ARRIVED ON THE UNIT I WAS SEXUALLY HARRASSED BY A SERGEANT AND EVEN THREATENED BY THIS SAME SERGEANT JANOW FOR FILING A GRIEVANCE ON HIM EVEN KNOW THEY SAID THEY DID A INVESTIGATION NO ONE CAME TO TALK TO ME ABOUT THIS ISSUE AT ALL IN EXHIBIT H H YOU CAN SEE THAT THEY SAID THEY DID A INVESTIGATION ON SEXUAL ABUSE BUT NO ONE CAME TO TALK TO ME EVEN KNOW I HAD SEVERAL WITNESSES WHO HEARD THIS WHOLE INCIDENT.

THEN SHORTLY AFTER THAT INCIDENT I STARTED RECEIVING KITES FROM KNOWN CONFIRMED GANG MEMBERS THREATENING TO DOE PHYSICAL VIOLENCE AND SEXUAL ASSAULT TO ME IF I DIDNT PAY

2021 #2

MONEY, OR DO SEXUAL FAVORS FOR MONEY I IMMEDIATELY WROTE SAFE PRISONS OFFICER AMY FLORES I-60 REQUEST FORMS TELLING HER MY LIFE WAS IN DANGER AGAIN SHE NEVER ONCE AND CAME TO TALK TO ME SHE CAME AND TALKED WITH 3 INMATES THAT I TOLD HER IN THE REQUEST FORM WAS THREATENING ME SHE TOLD THEM THAT I WAS WRITING REQUEST FORMS ON THEM AND WHY WAS THEY THREATENING NOT ONCE DID SHE COME AND TALK TO ME OR MOVE ME AWAY FROM MY DANGEROUS SITUATION SHE PUT ME IN MORE DANGER BY LETTING THOSE INMATES ~~BE~~ KNOW AND LEAVING ME IN THE SAME WING WITH THEM I WROTE SEVERAL I-60'S/REQUEST FORMS TO SERGEANT AMY FLORES LETTING HER KNOW MY LIFE WAS IN DANGER, DUE TO MY HOMOSEXUAL BEHAVIOR AND MY SEXUALITY SOMETHAN THOSE I-60'S/REQUEST FORM GETS MISPLACED OR LOST I ~~AM~~ HAVE WROTE SEVERAL GRIEVANCES STATING MY LIFE WAS IN DANGER SOMETHAN THOSE GET LOST OR MISPLACED SO I STOPPED WRITING THEM.

THEN I HAVE TRIED SEVERAL DOZEN OF TIMES TELL LT. ALEX GURROLLA ABOUT MY LIFE BEING IN DANGER, ABOUT MY HOMOSEXUAL BEHAVIOR AND MY SEXUALITY HE ALWAYS JUST LAUGHS AND TELLS ME TO STOP BEING A PUSSY BEFORE I GAS YOU UPON BELIEF THIS LT HAS

PAGE 3

SCARED INMATES OUT OF OPIS (OFFENDER PROTECTION INVESTIGATION) WITH PHYSICAL THREATS HE MADE THOSE INMATES GO BACK INTO THE SAME ROOM WITH THE SAME PEOPLE WHO THREATENED THEM WHICH IF I GO TO TRIAL ON THIS SOME OF THEM WILL BE ON THE WITNESS LIST.

ON 9-30-2020 I HAD SERGEANT JOSE JIMENEZ IT COME TO MY CELL D-233 AND DO RACIAL SALUTE TWICE AND TELL ME MY TIMES COMING AND THAT IM A SNITCHING TRANSGENDER HE EVEN DESCRIBED THE PERSON WHO SENT THE MESSAGE THERE WAS A CAMERA RIGHT IN FRONT OF MY CELL AND I HAD SEVERAL WITNESSES WHO HEARD AND SEEN ALL THIS AS YOU SEE EXHIBIT H F, G THEY DID NOTHING ABOUT IT NO ONE CAME TO TALK TO ME ABOUT THIS NO PREA OR SAFE PRISONS OFFICERS CAME TO TALK TO ME ABOUT THIS ~~ISSUE~~ ISSUE A UPON ~~THEIR~~ BELIEF THIS SERGEANT HAS BEEN IN TROUBLE FOR HURTING INMATES PHYSICALLY.

ON 10-8-2020 I WROTE THE OIG OFFICE INSPECTOR GENERAL AND ALSO A GRIEVANCE ABOUT MY LIFE BEING IN DANGER IN GENERAL POPULATION NO ONE CAME TO SEE ME ABOUT IT SO THOSE WERE MISPLACED AGAIN OR LOST I DO HAVE COPIES OF BOTH OF THEM

IN OR ABOUT SEPTEMBER 2020 I WROTE SAFE PRISONS PROGRAM MANAGEMENT OFFICE AND PREA OMBUDSMAN

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IN HUNTSVILLE 2 MONTHS LATER AFTER WRITING THEM
CAPTIAN DANIEL PACHECO ON 11-2-2020 I FILED A
(OPI) OFFENDER PROTECTION INVESTIGATION I GAVE
DANIEL PACHECO SEVERAL KITES WHERE I WAS GETTING
DEATH THREATS AND EXTORTION AND THREATS OF
SEXUAL ASSAULTS BY OTHER OFFENDERS I EVEN STATED
TO ~~THE~~ HIM ABOUT SGT JIMENEZ II AND WHAT HE
DID TO ME AND I ASKED SHOULD I PUT THAT IN
THE (OPI) STATEMENT HE SAID NO THAT INVESTIGATION
IS DONE I KEPT ASKING HIM QUESTIONS HE STATED
YOU GOT 99 YEARS WHO CARES HE TOLD THE OFFICER
TO GET ME OUT OF HIS OFFICE BEFORE HE SLAPS
THE MUCK OUT OF ME ON 11-3-2020 I HAD A
OFFICER PULL UP IN FRONT OF MY CELL D-233 AND
TELL ME MY OPI WAS DENIED IN FRONT OF ALL
THE INMATES WHICH PUT ME IN MORE DANGER
I NEVER WENT TO VCC ON THIS OPI WHICH TDCJ
POLICY STATES WERE SUPPOSE TO SEE UNIT
CLASSIFICATION COMMITTEE AFTER FILING A OPI
ON 11-5-2020 I WENT TO CRISIS MENTAL HEALTH
CELL HE TO ME BEING SUICIDAL BECAUSE NO ONE
WANTS TO HELP ME AND THEY KEEP DENYING
ME SAFEGUARDING WHERE I BELONG
SHORTLY AFTER THAT INCIDENT I WAS PLACED BACK
ON DELTA WING D-118 WHERE I WAS THREATENED
AGAIN AND EXTORTED I HAD SGT ANDERSON
APPROACH MY CELL IN FRONT OF THE WHOLE

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DORM AND ASK ME IF I WANT TO FILE A OPI I SAID NO BECAUSE I WAS SCARED WHAT THE INMATES WERE GONNA DO MORE HARM TO ME UNSURE EXACT DATE ON THIS THERE IS DOCUMENTATION BECAUSE I FILLED OUT A PAPER THAT MY LIFE WAS NOT IN DANGER ON DECEMBER 10TH I HAD 2 CORRECTIONS OFFICER PLUS SERGEANT JUSTIN ANDERSON COME TO MY CELL 0-118 TELL ME TO PACK IT UP YOUR MOVING TO BRAVO WING I SAID I CANT BE HOUSED IN A CELL WITH ANOTHER OFFENDER HERE DUE TO SHOWERS IN THE CELL AND ME BEING A TRANSGENDER SRGT ANDERSON SAID YES YOU CAN YOUR GONNA MOVE I TOLD HIM I WAS SUICIDAL YOU'LL SEE THAT INCIDENT IN EXHIBIT #A UPON BELIEF THIS SRGT HAS PUT TRANSGENDERS IN CELLS WITH OTHER OFFENDERS IN IT WITH SHOWERS IN IT.

I PUT WARDEN BRISTOW IN THIS COMPLAINT DUE TO HIM BEING THE WARDEN AND HIM OPERATING, SUPERVISING BILL CLEMENTS UNIT.

THIS IS AN ONGOING PROBLEM FOR ME IN TDCJ IN GENERAL I BEEN TO SEVERAL UNITS WHERE IVE BEEN SEXUALLY ABUSED, HARASSED AND THREATENED I FILED SEVERAL (OPI'S) OFFENDER PROTECTION INVESTIGATIONS AND WAS SHIPPED TO OTHER UNITS EVERY TIME I GET TO FILE A OPI HERE AT BILL CLEMENTS I NEVER SEE

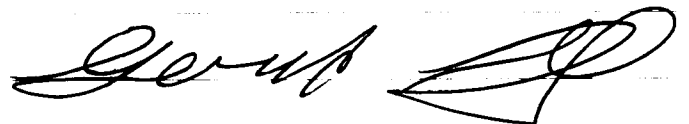
PAGE 13

UCC UNIT CLASSIFICATION COMMITTEE LIKE TDCJ POLICY STATES IM NEVER REMOVED FROM THE SITUATION IM IN LIKE TDCJ POLICY STATES IVE BEEN A VICTIM OF SEXUAL ASSAULT/RAPE IN ARIZONA DEPARTMENT OF CORRECTIONS EVERY TIME IM INCARCERATED IM IN SOME FORM OF PROTECTED CUSTODY DUE TO HOW VULNERABLE I AM TO BEING A VICTIM OF SEXUAL AND PHYSICAL THREATS DUE TO MY HOMOSEXUAL BEHAVIOR AND MY SEXUALITY AND HOW SMALL AND VULNERABLE I AM IM 6 FEET 137 POUNDS SO IM VERY SMALL I CANT DEFEND MYSELF WELL TDCJ POLICY ON SAFE PRISONS/SAFEKEEPING POLICY I SHOULD BE PLACED ON SAFEKEEPING DUE TO ALL THESE REASONS TDCJ POLICY STATES IS OFFENDER WHO REQUIRE SEPARATE HOUSING FROM GENERAL POPULATION BECAUSE OF THREATS TO THEIR SAFETY DUE TO A HISTORY OF HOMOSEXUAL BEHAVIOR, A POTENTIAL VICTIMIZATION OR OTHER SIMILAR REASONS I FIT THE CRITERIA FOR SAFEKEEPING JUST MOVING ME TO ANOTHER UNIT WONT SOLVE MY ISSUES ITS BEEN DONE BEFORE THESE ARE REOCCURRING EVENTS ON EVERY TDCJ UNIT I BEEN TO WHICH I GOT DOCUMENTATION TO SHOW FOR THIS I REFUSE RECREATION OR TO COME OUT OF MY CELL IF I HAVE TO ~~BE~~ BE AROUND

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ANOTHER OFFENDER WE TO ME BEING SCARED, OF MY LIFE BEING IN DANGER IT IS MY CONSTITUTIONAL RIGHT TO BE SAFE WHILE IN TDCJ CUSTODY MY EIGHT AMENDMENT IS SERIOUSLY BEING VIOLATED IN TDCJ UNITS I HAVE NO PLAIN ADEQUATE OR COMPLETE REMEDY AT LAW TO REDRESS THE ~~WRONGS~~ WRONGS DESCRIBED HEREIN. I BEEN AND WILL CONTINUE TO BE IRREPARABLY INJURED BY THE CONDUCTS OF THE DEFENDANTS AND TDCJ UNLESS THIS COURT GRANTS THE DECLARATORY AND INJUNCTIVE RELIEF I SEEK TO BE PLACED IN TDCJ SAFEKEEPING OUT OF HARM'S WAY

RESPECTFULLY SUBMITTED:


GERALD THOMAS
2275195

PRAYER OR RELIEF

Wherefore, Plaintiff Respectfully Prays That This Court Enters Judgment Granting Plaintiff:

1. A DECLARATION THAT THE ACTS AND OMISSIONS DESCRIBED HEREIN VIOLATED PLAINTIFFS RIGHTS UNDER THE CONSTITUTION AND THE LAWS OF THE UNITED STATES
2. A PRELIMINARY AND PERMANENT INJUNCTION ORDERING DEFENDANTS, CAPTIAN DANIEL PACHECO, SAIR PRISONS SERGEANT AMY FLORES, JOSE A JIMENEZ II SERGEANT, SERGEANT DUSTIN ANDERSON, ALEX GUARDA LIEUTENANT, WARDEN BRISTOW TO STOP PUTTING ME IN HARMS WAY OR RETALIATING AGAINST ME BECAUSE IM A TRANS GENDER ALSO ORDER DEFENDANTS TO PLACE ME IN TDCJ SAFEKEEPING.
3. A JURY TRIAL ON ALL ISSUES TRIABLE BY JURY.
4. PLAINTIFFS COST IN THIS SUIT.
5. PLAINTIFF SEEKS TO BE PLACED IN TDCJ SAFEKEEPING.
6. ANY ADDITIONAL RELIEF THIS COURT DEEMS JUST, PROPER, AND EQUITABLE.

DATED: _____
RESPECTFULLY SUBMITTED



GERALD THOMAS

C. Has any court ever warned or notified you that sanctions could be imposed? YES ☒ NO

D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued:
(If more than one, use another piece of paper and answer the same questions.)

1. Court that issued warning (if federal, give the district and division): _____
2. Case number: _____
3. Approximate date warning was issued: _____


Executed on: 3-29-2021
DATE


GERALD WILSON THOMAS
(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this 29 day of 3, 2021.
(Day) (month) (year)


GERALD WILSON THOMAS
(Signature of Plaintiff)

WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.

GERALD THOMAS # 2275195
PLAINTIFFS NAME #

✓

DECLARATION

LT ALEX GURROLA
DEFENDANT #1

SARF PRISON SERGEANT AMY FLORES
DEFENDANT #2

GERALD THOMAS # 2275195
NAME #

CAPTAIN DANIEL PACHECO
DEFENDANT #3

SERGEANT JOSE JIMENEZ #
DEFENDANT #4

CIVIL ACTION #

SERGEANT JUSTIN ANDERSON
DEFENDANT #5

WARDEN BRISTOL
DEFENDANT #6

STATEMENT

GERALD THOMAS HEREBY DECLARES THAT HERE AT BILL CLEMENTS UNIT AMARILLO, TX DOES NOT PROPERLY HANDLE OPI OFFENDER PROTECTION INVESTIGATIONS PROPERLY TRANSGENDERS ARE TREATED POORLY AND UNFAIR MANY TRANSGENDERS HERE AT BILL CLEMENTS UNIT HAVE BEEN JUMPED EXTORTED SEXUALLY ASSAULTED AND THERE TO SCARED TO FILE A OPI BECAUSE AFTER YOUR OPI HERE AT BILL CLEMENTS IS DENIED YOU GO BACK INTO THE SAME HOUSING UNIT WITH THE SAME OFFENDERS PUTTING YOU IN MORE DANGER THAT VIOLATES THE EIGHT AMENDMENT MY RIGHT TO BE SAFE WHILE IN TDCJ CUSTODY LT ALEX GURROLA IS KNOWN FOR SCARING OFFENDERS OUT OF OPI'S WITH CHEMICAL AGENTS AND THREATS OF PHYSICAL HARM I WILL HAVE SOME OFFENDERS TESTIFY TO THIS IF IT GOES TO TRIAL SAFE PRISONS OFFICER ANY FLORES HAS OFFICERS DO THE OPI PREA INVESTIGATIONS CUCU KNOW TDCJ POLICY STATES ANY OPI WITH ANYTHING SEXUAL YOUR SUPPOSE TO TALK TO PREA SAFE PRISONS OFFICERS SHE DISREGARDS MOST REQUEST FORMS EVEN LIFE

IN DANGER, WHICH I WILL HAVE OFFENDERS TESTIFY TO THESE ACCUSATIONS IF THIS CASE GOES TO TRIAL CAPTAIN DANIEL PACHECO IS KNOWN FOR DENYING OPI'S AND PHYSICALLY USING EXCESSIVE FORCE ON INMATES AND PHYSICAL THREATS TO INMATES AND TRANSGENDERS I WILL HAVE OFFENDERS TESTIFY TO THESE ACCUSATIONS IF THIS CASE GOES TO TRIAL SERGEANT JIMENEZ IT IS KNOWN FOR PHYSICALLY USING EXCESSIVE FORCE ON OFFENDERS AND NOT FOLLOWING TDCJ POLICYS SERGEANT DUSTIN ANDERSON IS KNOWN FOR LEAVING TRANSGENDERS IN CELLS NAKED AND EXPOSED AFTER TAKING THERE PROPERTY HES KNOWN FOR HOUSING TRANSGENDERS WITH OTHER OFFENDERS IN THE CELL WITH A SHOWER IN IT THAT GOES AGAINST TDCJ POLICY HE IS KNOWN FOR NOT FOLLOWING TDCJ POLICY WHEN IT COMES TO TRANSGENDERS I WILL HAVE OFFENDERS TESTIFY TO THIS WARDEN BRISTOW IS RESPONSIBLE FOR THE OPERATION OF BILL CLEMENTS UNIT IT WILL BE DETRIMENTAL TO MY HEALTH IF YOU DONT GRANT MY INTUNCTION AND HAVE THEM PLACE ME IN TDCJ SAFEKEEPING WHICH UPON BELIEVE THESE DEFENDANT WILL RETALATE AGAINST ME PHYSICALLY AND MENTALLY IM ASKING THIS COURT TO GRANT MY DECLARATION AND MY INTUNCTION AND HAVE TDCJ PLACE ME IN SAFEKEPPING WHERE I WONT BE IN HARMS WAYS

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT EXECUTED AT AMARILLO, TEXAS, 79107 BILL CLEMENTS UNIT ON 3-29-2021


SIGNATURE

GERALD THOMAS #2275195
PRINTED NAME



TEXAS DEPARTMENT OF CRIMINAL JUSTICE
ACCEPT AS ORIGINAL
OFFENDER
STEP 1 GRIEVANCE FORM
EXHIBIT # A

OFFICE USE ONLY	
Grievance #:	_____
Date Received:	_____
Date Due:	_____
Grievance Code:	_____
Investigator ID #:	_____
Extension Date:	_____
Date Retd to Offender:	_____

Offender Name: GERALD THOMAS TDCJ # 2275195
 Unit: MONTFORD Housing Assignment: A-113
 Unit where incident occurred: BILL CLEMENTS

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? SERGEANT ANDERSON When? DECEMBER 10TH
 What was their response? YOU HAVE TO MOVE -> BRAVO WING WITH A CELLMATE
 What action was taken? I WAS PLACED IN CRISIS DUE TO SUICIDAL REASONS

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

ON OR ABOUT DECEMBER 10TH I HAD 2 CORRECTIONS OFFICERS
CAME TO MY CELL D-118 ECB HIGH SECURITY THEY TOLD ME
TO PACK UP YOUR STUFF YOUR MOVING I ASKED TO WHERE
THEY SAID B WING A 2 MAN CELL I TOLD THEM I REFUSE
IN A TRANSGENDER I CANT BE PLACED IN A CELL WITH
ANOTHER OFFENDER DUE TO ME BEING A TRANSGENDER AND
THERES A SHOWER IN THE CELL THE 2 CORRECTIONS OFFICERS
WALKED AWAY THEN SERGEANT ANDERSON CAME TO MY CELL
D-118 ECB HE ASKED WHY DONT YOU WANT TO MOVE
I SAID IM A TRANSGENDER I CANT HAVE IN A CELL
WITH ANOTHER OFFENDER WITH A SHOWER IN IT HE SAID
YES YOU CAN YOUR MOVING I STARTED FEELING
DEPRESSED SO I WENT TO CRISIS DUE TO SUICIDAL
REASONS BUT THIS IS NOT RIGHT FOR THESE 2
CORRECTIONAL OFFICERS SERGEANT ANDERSON TRY TO HAVE
ME IN A CELL WITH ANOTHER OFFENDER WITH A
SHOWER IN IT IM A TRANSGENDER THIS IS NOT
RIGHT AT ALL MY RIGHTS WERE BEING VIOLATED
AS A TRANSGENDER CAN YOU LOOK DATED THIS
WHEN YOU HAVE A CHANCE I WOULD GREATLY
APPRECIATE IT PLEASE AND THANK YOU FOR
YOUR TIME

I KNOW THIS GRIEVANCE IS WAY

PAST DAY THE SEVEN DAYS TO BE TURNED IN BY
I BARELY WAS ABLE TO GET A GRIEVANCE
CAN YOU PLEASE TAKE THIS INTO CONSIDERATION
AND FILE THIS GRIEVANCE PLEASE AND THANK
YOU FOR YOUR TIME JAN 21 2021

Action Requested to resolve your Complaint

TO SEE MY RIGHT WERE BEING VIOLATED AS A
TRANSGENDER

Offender Signature: [Signature]

Date: 1-20-2020

Grievance Response:

Signature Authority: _____

Date: _____

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response.
State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- ☒ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. *
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature: Whitfield / QWhitfield

Application of the screening criteria for this grievance is not expected to adversely
Affect the offender's health.

Medical Signature Authority: _____

-127 Back (Revised 11-2010)

OFFICE USE ONLY

Initial Submission UGI Initials: JW

Grievance #: 2021061039

Screening Criteria Used: 899-01

Date Recd from Offender: JAN 21 2021

Date Returned to Offender: JAN 21 2021

2nd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

Texas Department of Criminal Justice



STEP 1

OFFENDER
GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 2020087841
 Date Received: MAR 09 2020
 Date Due: 4-9-20
 Grievance Code: 013
 Investigator ID #: 2108
 Extension Date: _____
 Date Retd to Offender: APR 17 2020

Offender Name: GERALD THOMAS TDCJ # 2275195
 Unit: CLEMENTS Housing Assignment: HS D-233
 Unit where incident occurred: CLEMENTS UNIT

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? SRGT JAWON When? 3-8-20
 What was their response? I GOT A SHANK THAT IL STICK IN YOUR PUSSY
 What action was taken? IM WRITING THIS GRIEVANCE

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

ON 3-8-20 SRGT JAWON WAS HELPING THE NURSE
PASS OUT NIGHT MEDICATIONS HE CAME TO MY CELL
AND STATED HEY CHEST PAINS I SAID YEA OK HE SAID
I PLAY WITH SHANKS AS HE WAS LOOKING AT ME HE
WAS REFERRING TO CASE #20200137847 WHEN I PRODUCED
A WEAPON ON CAMERA AS SRGT JAWON WAS WALKING
AWAY FROM MY CELL AFTER I RECEIVED MY
MEDICATIONS HE SAID I LOOKED YOU UP I KNOW YOUR
GAY I GOT A 7 INCH SHANK IL STICK IN
YOUR PUSSY SINCE THATS WHAT YOU GOT I AM
A TRANSGENDER THAT WAS VERY UNPROFESSIONAL
TO MAKE THOSE SEXUAL ADVANCES ON ME
BECAUSE I AM A TRANSGENDER I WOULD LIKE
TO TALK TO PRAA ABOUT THIS BECAUSE I REALLY
FEEL THIS OFFICER WAS MAKING SEXUAL
ADVANCES TOWARD ME WHEN HE TOLD ME HE
LOOKED ME UP AND SAID I HAVE A 7 INCH
SHANK TO STICK IN YOUR PUSSY SINCE
THATS WHAT YOU GOT CAN YOU LOOK INTO
THIS ASAP I WOULD GREATLY APPRECIATE
IT PLEASE AND THANK YOU FOR YOUR TIME
I DO HAVE SEVERAL INMATES AS WITNESSES
TO HIM SAYING THIS IF ANYTHING HAPPENS

TO ME AFTER I WROTE THIS GRIEVANCE IT
IS RETALATION FOR ME WRITING THIS
GRIEVANCE

Action Requested to resolve your Complaint.

SRGT JACOB INVESTIGATED FOR
MAKING SEXUAL ADVANCES TOWARD ME

Offender Signature: 

Date: 3-8-20

Grievance Response:

Your complaint has been investigated and findings reviewed. Staff denied your allegation of sexually harassing you. Unit investigation regarding your allegations was completed on 3-26-20. Upon completion it was determined that your allegations were unfounded. No further action is warranted.

Signature Authority: 

Date: APR 17 2020

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. *
- ☐ 3. Originals not submitted. *
- ☒ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☒ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

I-127 Back (Revised 11-2010)

OFFICE USE ONLY

Initial Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

2nd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

EXHIBIT # C



Texas Department of Criminal Justice

STEP 2

OFFENDER
GRIEVANCE FORM

Offender Name: GERALD THOMAS TDCJ # 2275195
 Unit: CLEMENTS Housing Assignment: HS-D-233
 Unit where incident occurred: CLEMENTS UNIT

OFFICE USE ONLY

Grievance #: 2020087841
 APR 27 2020
 UGI Recd Date: _____
 HQ Recd Date: MAY 04 2020
 Date Due: 06-06
 Grievance Code: 013
 Investigator ID#: 12448
 Extension Date: _____

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be Specific). I am dissatisfied with the response at Step 1 because...

I AM DISSATISFIED WITH STEP 1 GRIEVANCE #2020087841 BECAUSE SRGT JANOW DID SEXUALLY ~~HARASS~~ HARASS ME DUE TO ME BEING TRANSGENDER THAT IS NOT RIGHT THEN IT STATES IN POLICY THAT I'M NOT SUPPOSE TO RECEIVE A WRITE-UP FOR WRITING A OFFICER UP DUE TO THIS GRIEVANCE CAPT J. PRECIADO WHO WORKS ON SRGT JANOW'S SHIFT WROTE ME UP FOR WRITING A GRIEVANCE ON SRGT JANOW SAYING I LIED THAT IS RETALATION ON ME THERE WERE SEVERAL PEOPLE AND INMATES WHO HEARD SRGT. JANOW SEXUALLY HARASS ME ON SEVERAL OCCASIONS I AM REALLY SCARED OF THIS SRGT BECAUSE HE HAD MADE THREATS TOWARD ME SAYING LET ME FIND OUT YOUR WRITING GRIEVANCES ON ME I'LL PUT A HIT ON YOU THERES A GRIEVANCE ON THAT TOO BUT HAVE NOT HEARD NOTHING BACK ON THAT CAN YOU PLEASE LOOK INTO THIS SRGT PLEASE AND THANK YOU FOR YOUR TIME

Offender Signature: _____

Date: _____

Grievance Response: _____

An investigation has been conducted into your complaint. An Offender Protection Investigation has been completed and no evidence has been found to substantiate your allegations of sexual harassment. Any further evidence you may have to support your allegations should be brought to the attention of the Major or Warden. Be advised; the allegation of Sgt. Janow threatening you will be addressed in Grievance #2020090804. No further action is warranted by this office.

Signature Authority: _____

M. LEWANDOWSKI

Date: _____

Returned because: **Resubmit this form when corrections are made.*

- ☐ 1. Grievable time period has expired.
- ☐ 2. Illegible/Incomprehensible.*
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments.*
- ☐ 5. Malicious use of vulgar, indecent, or physically threatening language.
- ☐ 6. Inappropriate.*

CGO Staff Signature: _____

OFFICE USE ONLY**Initial Submission**

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

2nd Submission

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

3rd Submission

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____



Texas Department of Criminal Justice

OFFENDER STEP 1 GRIEVANCE FORM

EXHIBIT # D

Offender Name: GERALD THOMAS TDCJ # 2275195
 Unit: CLEMENTS Housing Assignment: HS-D-233
 Unit where incident occurred: CLEMENTS UNIT

OFFICE USE ONLY

Grievance #: 2020 690804
 Date Received: MAR 16 2020
 Date Due: 4-25-20
 Grievance Code: 015
 Investigator ID #: 2108
 Extension Date: _____
 Date Retd to Offender: APR 22 2020

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? SRGT JANDU When? 3-11-2020

What was their response? WHATS UP I HEARD YOU PUT A FRA INVESTIGATION ON ME LET ME FIND OUT

What action was taken? IM WRITING THIS GRIEVANCE BE TO HIS THREATS TOWARD ME

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

ON 3-11-2020 BETWEEN 7:00PM AND 10:00PM AT NIGHT
SRGT JANDU WAS DOING A WALK THROUGH DELTA WING HE CAME BY MY
CELL D-233 SAW ME AT THE WINDOW CAME UP TO ME HE SAID WHATS UP
I SAID WHATS UP THEN HE LEANED IN ON THE SIDE OF MY DOOR
AND SAID I HEARD YOU PUT A FRA INVESTIGATION ON ME I INSTANTLY
GET WORRIED AND DID NOT RESPOND TO HIM SRGT JANDU THEN SAID
LET ME FIND OUT YOU DONT KNOW WH YOUR FUCKING WITH I WILL
HAVE YOU HIT I IMMEDIATELY WALKED AWAY FROM THE DOOR
SEVERAL INMATES SAID THEY HEARD THIS D-234 D-232 IS WITNESSES
TO HIM SAYING THIS TO ME I AM IN FEAR FOR MY LIFE
BY THIS OFFICER I FEEL MY SAFETY IS IN JEOPARDY NOT
ONLY HAS SRGT JANDU SEXUALLY HARASSED ME HE HAS
MADE THREATS TO PHYSICALLY HARM ME UP TO ME
WRITING ~~GRIEVANCE~~ GRIEVANCE? ON HIM PLEASE
DO NOT LET THIS OFFICER HURT ME AFTER THIS
STEP 1 GRIEVANCE IS COMPLETED I AM GOING
WRITE THE FEDERAL COURTS TO FILE A LAWSUIT
ON THIS MATTER I SHOULD NOT BE TREATED THIS
WAY BY NO RANKING OFFICER MY SAFETY SHOULD
BE NUMBER 1 AND I FEEL IT IS IN JEOPARDY
BY SRGT JANDU WHEN HE STOPPED BY MY CELL
ON 3-11-2020 TO THREATEN ME ITS ALL ON
CAMERA THERE IS A CAMERA RIGHT IN FRONT OF

MY CELL THAT YOU CAN REVIEW CAN YOU LOOK INTO THIS ASAP PLEASE I FELL HE IS GONNA RETALIATE ON ME AND HAD ME PHYSICALLY ASSAULTED I WOULD GREATLY APPRECIATE ALL YOUR HELP PLEASE AND THANK YOU FOR YOUR TIME

Action Requested to resolve your Complaint:

SERGEANT JAVON INVESTIGATED FOR MAKING THREATS TO HARM ME DUE TO ME WRITING GRIEVANCES

Offender Signature: [Signature]

Date: 3-11-2020

Grievance Response:

Your complaint has been investigated and findings reviewed. Staff denied your allegations of threatening you with physical harm. Unit investigation did not reveal sufficient evidence to substantiate your claim of staff misconduct. No further action warranted.

[Signature]
Joe Tovar, Assistant Warden

IPR 2 2 2020

Signature Authority: _____

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-127) to the Unit Grievance Investigator within 15 days of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. *
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

I-127 Back (Revised 11-2010)

OFFICE USE ONLY

Initial Submission	UGI Initials: _____
Grievance #: _____	
Screening Criteria Used: _____	
Date Recd from Offender: _____	
Date Returned to Offender: _____	
2 nd Submission	UGI Initials: _____
Grievance #: _____	
Screening Criteria Used: _____	
Date Recd from Offender: _____	
Date Returned to Offender: _____	
3 rd Submission	UGI Initials: _____
Grievance #: _____	
Screening Criteria Used: _____	
Date Recd from Offender: _____	
Date Returned to Offender: _____	

Appendix F



EXHIBIT #E

Texas Department of Criminal Justice

STEP 2

OFFENDER
GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 2020090804

UGI Recd Date: MAY 08 2020

HQ Recd Date: MAY 26 2020

Date Due: 06-17

Grievance Code: 015

Investigator ID#: 12448

Extension Date:

Offender Name: GERALD THOMAS TDCJ# 227945

Unit: CLEMENT UNIT Housing Assignment: HS-D 333

Unit where incident occurred: CLEMENTS UNIT

You must attach the completed Step 1 Grievance that has
accepted. You may not appeal to Step 2 with a Step 1 that h

med by the Warden for your Step 2 appeal to be
turned unprocessed.

Give reason for appeal (Be Specific). I am dissatisfied with the response at Step 1 because...

I AM DISSATISFIED WITH THE STEP 1 GRIEVANCE
H 2020090804 BECAUSE THEY SAID THERE WAS
NOT SUFFICIENT EVIDENCE THAT SGT JAWAN
THREATENED ME DUE TO HIM ~~SEXUALLY~~ SEXUALLY
HARRASSING ME. I HAD SEVERAL WITNESSES WHO
HEARD HIM SEXUALLY HARRASS WHICH ~~LEAD~~ LEAD ME
TO WRITE A GRIEVANCE ON HIM THEN HE CALLED
BY AND THREATENED TO DO PHYSICAL HARM TO
ME I HAD SEVERAL WITNESSES WHO HEARD HIM SAY
THIS TO ME AND NOTHING WAS DONE TO HIM
NOW IF THAT WAS INMATE WHO THREATENED
A OFFICER THEY WOULD RECOVER A WRITE
UP AND LOST ALOT OF PRIVILEGES WHY IS IT
OK FOR SGT JAWAN TO MAKE PHYSICAL
THREATS AND SEXUALLY HARRASS ME AND
NOTHING IS DONE EVEN KNOW I HAD WITNESSES
TO THESE ALLEGATIONS THEY NEVER QUESTIONED
MY WITNESSES TO SEE IF IT WAS TRUE OR NOT
CAN YOU PLEASE LOOK INTO THIS ASAP BECAUSE
AFTER THIS I AM GOING TO FILE A LAWSUIT
FOR BEING SEXUALLY HARRASSED AND THREATENED TO

PHYSICAL HARM BY A RANKING OFFICER PLEASE
AND THANK YOU FOR YOUR TIME

Offender Signature: _____

Date: _____

Grievance Response: _____

An investigation has been conducted into your complaint. An Administrative Investigation has been completed and no evidence has been found to substantiate your allegations of threats of violence. Any further evidence you may have to support your allegations should be brought to the attention of the Major or Warden. No further action is warranted by this office.

H. M. Pederson

JUN 17 2020

Signature Authority: _____

Date: _____

Returned because: *Resubmit this form when corrections are made.

- ☒ 1. Grievable time period has expired.
- ☒ 2. Illegible/Incomprehensible.*
- ☒ 3. Originals not submitted.*
- ☒ 4. Inappropriate/Excessive attachments.*
- ☒ 5. Malicious use of vulgar, indecent, or physically threatening language.
- ☒ 6. Inappropriate.*

CGO Staff Signature: _____

OFFICE USE ONLY**Initial Submission**

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

2nd Submission

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

3rd Submission

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

EX HIBIT #F



Texas Department of Criminal Justice

STEP 1 OFFENDER GRIEVANCE FORM

12B 267B

Offender Name: GERALD THOMAS TDCJ # 2275195
Unit: CLEMENTS UNIT Housing Assignment: A-233
Unit where incident occurred: CLEMENTS UNIT 12B 267B

Grievance #:	<u>2021014431</u>
Date Received:	<u>OCT 05 2020</u>
Date Due:	<u>11-14-20</u>
Grievance Code:	<u>OIS</u>
Investigator ID #:	<u>2108</u>
Extension Date:	
Date Retd to Offender:	<u>NOV 09 2020</u>

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? SRGT JIMENEZ When? 9-30-2020
What was their response? HE DID THE WHITE POWER SALUTE TO ME 2 TIMES
What action was taken? IM WRITING A GRIEVANCE THEN DAD FILE A LAWSUIT

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

ON 9-30-2020 SEPTEMBER 30TH 2020 AT APPROXIMATELY
6:00PM TO 10:00PM (DONT KNOW EXACT TIME) @ SRGT
JIMENEZ CAME WALKING UP THE STAIRS BY 2 ROW
BACK HALF OF D-SECTION HE WAS LOOKING AT MY
CELL D-233 I WAS STANDING AT MY CELL DOOR
HE CAME UP TO ME TOLD ME TO GET OUT THERE
AND DID THE WHITE POWER HITLER SALUTE TO ME
TWICE AND TOLD ME MY TIME IS COMING THEN
HE STARTED DESCRIBE WHO THE MESSAGE CAME FROM THEN
HE WALKED AWAY LAUGHING MY NEIGHBOR IN D-234
HEARD ALL OF THIS BY SRGT JIMENEZ ITS ALL
ON CAMERA THERE'S A CAMERA RIGHT IN FRONT OF
MY CELL I AM SCARED FOR MY LIFE I HAVE PUT
GRIEVANCES IN EXPRESSING IM GREENLIGHTED BY
WHITE SUPREMACIST GROUPS IN TEXAS PRISONS CAN
YOU PLEASE LOOK INTO WHAT SRGT JIMENEZ
DID PLEASE DO NOT LET SRGT JIMENEZ
RETALIATE ON ME WITH PHYSICAL HARM I AM
SCARED OF THIS SRGT FOR WHAT HE DID IN
FRONT OF MY CELL ON SEPTEMBER 30TH CAN
YOU PLEASE LOOK INTO THIS ASAP BECAUSE
MY LIFE IS IN DANGER AT BILL CLEMENTS
UNIT

THE ABOVE AND FOREMENTIONED STATEMENT IS
100% TRUE AND WRITTEN ON MY OWN ACCORD

GERALD THOMAS #227595

HS-D-233 CELL OCTOBER 4TH 2020

Action Requested to resolve your Complaint.

IF NOT RESOLVED AND MY SAFETY
IS IN JEOPARDY I WILL FILE A LAWSUIT

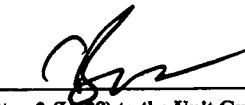
Offender Signature: 

Date: OCTOBER 4TH 2020

Grievance Response:

Your complaint has been investigated and findings reviewed. Staff denied your allegation of doing the "Hitler salute". No evidence was presented to support your claim of staff misconduct. An Offender Protection Investigation was also completed. Unit Classification Committee advised they were unable to substantiate the allegations. No further action warranted.

Signature Authority:

Asst. Warden  C. Bristow

Date:

NOV 09 2020

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. *
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments. *
- ☐ 5. No documented attempt at informal resolution. *
- ☐ 6. No requested relief is stated. *
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. *
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # _____
- ☐ 10. Illegible/Incomprehensible. *
- ☐ 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

I-127 Back (Revised 11-2010)

OFFICE USE ONLY

Initial Submission

UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

2nd Submission

UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

3rd Submission

UGI Initials: _____

Grievance #: _____

Screening Criteria Used: _____

Date Recd from Offender: _____

Date Returned to Offender: _____

BC

MAR 17 2021

JMC



Texas Department of Criminal Justice

STEP 2

OFFENDER
GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: 2021 014 431

UGI Recd Date: DEC 07 2020

HQ RECEIVED DEC 15 2020

Date Due: 1-16-2021

Grievance Code: 015

Investigator ID#: 2448

Extension Date:

Offender Name: GERALD THOMAS TDCJ #: 2275195

Unit: CLEMENTS UNIT Housing Assignment: H5-D-219

Unit where incident occurred: CLEMENTS UNIT H5-D-219

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be Specific). I am dissatisfied with the response at Step 1 because...

FIRST AND FOREMOST I AM WRITING THIS LATE BECAUSE I HAD NOT HAD THE CHANCE TO GET A STEP 2 OR TO MY WING/POD NOT HAVING NO STEP 1 OR STEP 2 GRIEVANCE. I HAD ASKED EVERY OFFICER TILL NOW THEY FINALLY FOUND ME ONE ON 12-2-2020 I AM DISSATISFIED WITH STEP 1 BE TO HOW THE SITUATION AND INVESTIGATION WAS HANDLED IT WAS ON VIDEO CAMERA THAT, SRGT JIMENEZ GAVE A RACIAL SALUTE TO ME TWICE AND THREATENED ME. THE WAY LT ORR HANDLED THIS INVESTIGATION WAS VERY POOR AND UNPROFESSIONAL INSTEAD OF PULLING ME OUT OF MY CELL AND TALKING TO ME IN HIS OFFICE HE CAME TO MY CELL AND TOLD ME IN FRONT OF ALL THE OTHER INMATES THAT SRGT JIMENEZ DID THIS BECAUSE I HAD A GREENLIGHT FROM A WHITE SUPREMACIST STD GROUP HERE IN TEXAS THAT PUT ME MORE IN DANGER ALSO LT ORR WAKE PEOPLE UP AND TOLD THEM IF THEY CAN VERIFY THAT SRGT JIMENEZ DID THIS BE TO

ME HAVING A GREENLIGHT NOTHING WAS DONE
 WITH WHAT ~~HAD~~ HAPPENED TO ME BY SRGT
 JIMENEZ THAT WAS VERY UNPROFESSIONAL WHAT HE
 DID TO ME CAN YOU LOOK INTO THIS ASAP
 I WOULD GREATLY APPRECIATE IT ALS AND THANK YOU

Offender Signature: _____

Date: 12-2-2020

Grievance Response: _____

An investigation has been conducted into your complaint. A Safe Prisons/PREA Investigation has been completed and no evidence has been found to substantiate your allegations of threats of violence. Any further evidence you may have to support your allegations should be brought to the attention of the Major or Warden. No further action is warranted by this office.

J. E. Pederson

Signature Authority: _____

Date: JAN 14 2021

Returned because: *Resubmit this form when corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Illegible/Incomprehensible.*
- ☐ 3. Originals not submitted. *
- ☐ 4. Inappropriate/Excessive attachments.*
- ☐ 5. Malicious use of vulgar, indecent, or physically threatening language.
- ☐ 6. Inappropriate.*

CGO Staff Signature: _____

OFFICE USE ONLY**Initial Submission**

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

2nd Submission

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

3rd Submission

CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) ☐ Screened ☐ Improperly Submitted

Comments: _____

Date Returned to Offender: _____

To:	Thomas, Gerald	TDCJ#:	2275195	BC
From:				
Date:				
Re:	Notification of Sexual Abuse Outcome			
EAC#		Grievance #		

On _____, you made an allegation of staff-on-offender ☐ Sexual Abuse ☐ Sexual Harassment
☐ Voyeurism, which prompted an administrative investigation.

The investigation regarding your allegation was completed on _____. Upon completion it was determined that your allegation is ☐ Substantiated ☐ Unsubstantiated ☒ Unfounded. As a result of the investigation, the following actions have taken place:

☐ The alleged staff member/contractor/volunteer listed below is no longer assigned to the unit.

Name: _____

Name: _____

Name: _____

☐ The alleged staff member/contractor/volunteer listed below is no longer employed with the Texas Department of Criminal Justice.

Name: _____

Name: _____

Name: _____

The Safe Prisons/PREA Management Office will inform you of any criminal sexual abuse charges related to your allegation when the staff member(s) has been 1) indicted (True Billed) or 2) convicted of the charges. If you need assistance understanding the information contained in this brochure, contact the Safe Prisons/PREA Manager on your unit.

Joe Brown / MC
Warden Printed Name/Title

[Signature]
Warden Signature

3/26/20
Date

Cc: Copy - Investigative Packet

IM JUST MAKIN SURE MY SEXUALITY YOU GUYS HAVE
ON FILE IS TRANSGENDER FOR I DONT BE HOSED WRONG
I WOULD GREATLY APPRECIATE IT PLEASE AND THANK
YOU FOR YOUR TIME

~~XXXXXXXXXXXXXXXXXXXX~~

you were placed on the Transgender list
as of 10-8-19 EXHIBIT #I

NAME: GERALD THOMAS #2275195

LIVING QUARTERS: D-219 CCB

JOB: NONE

URGENT

I-6D

URGENT

DATE: 3.5.2021

TO: SAFE PRISONS

ADDRESS: BILL CLEMENTS

SIR/MA'AM YES I'M FILING THIS BECAUSE MY LIFE IS IN DANGER AND I
NEED HELP. ON 3-2020 I WROTE SAFE-PRISONS AN I-60 STATEING MY LIFE
IS IN DANGER AND INSTEAD OF TALKING TO ME SAFE-PRISONS APPROACHED THE
PEOPLE I FILED ON TELLING THEM I WAS "SNITCHING". THEN THE ISSUE WAS
PUSHED ASIDE. THAT IS A VIOLATION OF MY CONSTITUTIONAL RIGHTS ALONE. I'VE GOT
SEVERAL "KITES" WHERE PEOPLE ARE THREATENING MY SAFETY/LIFE AND SAFE-
PRISON REFUSES TO HELP ME. ON MONDAY, SEPTEMBER. 28TH I WROTE HUNTSVILLE
AN IN-DEPTH LETTER ABOUT THE SITUATION, EXPLAINING TO THEM THAT I'M A TRANS-
GENDER WHO'S IN DANGER. I HAVE A 'GREEN LIGHT' ON MY LIFE FROM KNOW WHITE
FAMILY MEMBERS, MEANING THEY'VE BEEN TOLD TO 'DROP' ME ON SIGHT. THIS IS
A SERIOUS MATTER THAT NEEDS TO BE ADDRESSED WITH HASTE. I'M SCARED FOR
MY LIFE AND NEED HELP. IF SOMEONE WILL COME SPEAK TO ME I HAVE THE KITES,
NAMES, TIMES AND OTHER INFORMATION TO SHOW IT'S NOT A JOKING MATTER. I
HAVE ALSO NOTIFIED PEOPLE IN THE OUT-SIDE WORLD ABOUT THIS SITUATION. AND IF
NEED BE I'LL CONTACT A LAWYER. PLEASE HELP ME BEFORE SOMEONE HURTS ME OR
KILLS ME. ACCORDING TO T.O.C.J RULES & POLICY I'M NOT SUPPOSED TO BE DENIED
HELP, NOR AM I SUPPOSED TO PLACED IN MORE DANGER BY SAFE-PRISONS GOING AND
TELLING OTHER INMATES THAT I'M FILING A OPI OR I'M "SNITCHING". PLEASE LOOK
INTO THIS AND SOMEONE ~~PULL~~ PULL ME OUT TO HANDLE THIS MATTER!! MY LIFE
IS IN EXTREME DANGER AND I HAVE PROOF.

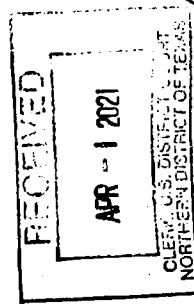
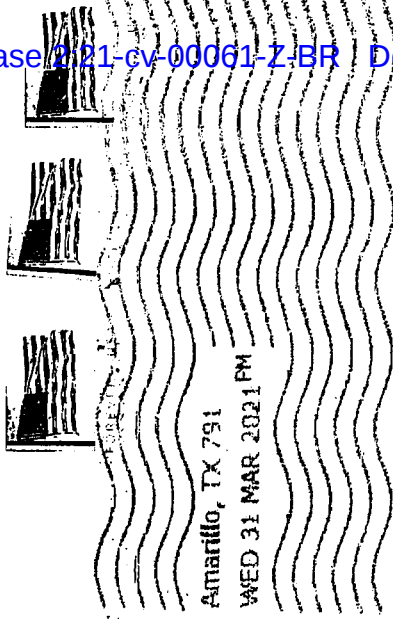
EXHIBIT # I

THE ABOVE AND FOREMENTIONED STATEMENT
IS TRUE AND IS WRITTEN OF MY OWN FREE
WILL NAME: GERALD THOMAS *2275195

HOUSING: H5-D-233 DATE: 10-8-2020

↑
"COPY" SOMEONE HELPED ME WRITE THIS IS
THE GRIEVANCE I WROTE 5 TIMES ALREADY HERE
AT BILL CLEMENTS BUT THOSE GRIEVANCES KEEP COMING
UP MISSING FOR SOME ODD REASON NO ONE COMES
AND TALKS TO ME

GERALD THOMAS #2275195
CLEMENTS UNIT
9601 SPUR 591
AMARILLO TX, 79107



UNITED STATES DISTRICT COURT
205 S.E. 5TH AVE ROOM #1
AMARILLO, TX, 79101

LEGAL